

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

In re the Marriage of:)	
SONNY S. SAGGAR,)	
)	
Petitioner,)	Cause No. 23SL-DR00394
)	
and)	Division 34
)	
LAURA J. SAGGAR,)	
)	
Respondent.)	

PETITIONER'S REPLY TO RESPONDENT'S FIRST
AMENDED COUNTER-PETITION FOR DISSOLUTION OF MARRIAGE

Petitioner, Sonny S. Saggar, for his Reply to Respondent's First Amended Counter-Petition for Dissolution of Marriage, states as follows:

1. Petitioner admits the allegations in Paragraphs 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, and 20 of Respondent's Amended Counter-Petition for Dissolution of Marriage.
2. Petitioner denies the allegations in Paragraphs 18, 19, 21, 22, 23, 24, 25, 26 and 27 of Respondent's Amended Counter-Petition for Dissolution of Marriage.
3. Further answering the allegations in Paragraph 5, Petitioner states that he is no longer employed, but, rather that he works as a physician on a per diem locum tenens basis as an independent contractor, not as an employee as of in or about July 2023.
4. Further answering the allegations in Paragraph 22, Petitioner states that Respondent was fully aware of the sale of business assets in which Petitioner and Respondent had an ownership interest and of the economic need to transfer such assets based upon the financial performance thereof. Further, Respondent was fully aware of the receipt of proceeds from the sale of such assets and of the deliberation between Petitioner and Respondent of how such proceeds were used by the parties, including the decision to pay a significant lump sum payment toward the parties' joint

home mortgage obligations on their marital residence with such proceeds.

5. Further answering the allegations in Paragraph 23, Petitioner states that he serves in solely a signatory capacity on such accounts and is notably and legally not the owner of the funds therein, and takes instructions from Monica Saggar with regard to banking transactions made on her behalf as owner of Emergency Physician Consultants, Inc. ("EPCI").

6. Further answering the allegations in Paragraph 24, Petitioner states that these allegations are wholly insufficient to support the relief requested in the Amended Counter-Petition in that Petitioner's managerial participation in banking and other activities of EPCI cannot be equivocated with ownership or control any more than any other ordinary agent-principal relationship converts to ownership.

7. Further answering the allegations in Paragraph 25, Petitioner states that these conclusory allegations are legally insufficient to support the relief sought in the Amended Counter-Petition. Under Rule 55.15 of the Missouri Rules of Civil Procedure, in "all averments of fraud," the "circumstances constituting fraud" must "be stated with particularity." Respondent's pleading fails to make any such allegations and uses only the term "fraud" in a conclusory allegation without any particularity. The failure to plead fraud with particularity causes Respondent's Amended Counter-Petition to be subject to outright dismissal.

WHEREFORE, having fully answered Respondent's Amended Counter-Petition for Dissolution of Marriage, Petitioner prays the Court to dismiss the Amended Counter-Petition or to deny to Respondent the relief sought thereunder and to hear and determine this cause of action upon Petitioner's Petition for Dissolution of Marriage, granting to Petitioner all the relief sought thereunder and such other and further relief as the Court deems just and proper.

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By 

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was eFiled on this 27 day of August 2023, which provides an electronic copy hereof to:

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